



Report to the Auburn City Council

Action Item

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Agenda Item No.

City Manager Approval

To: Mayor and City Council Members
From: Valerie Harris, Chief of Police
Date: June 13, 2011
Subject: Selling Drug Screening Kits to the public

The Issue

Should the City Council approve the sale of Drug Screening Kits to the public and give the Auburn Police Department the authority to set and adjust the purchase and replacement costs of these kits to ensure this resource is readily available to individuals desiring to purchase these kits?

Conclusion and Recommendation

Based on our research, Staff is recommending that by **resolution**, the City Council approve a pilot program to provide Drug Screening Kits to the public at cost. Members of the community will often look to the Auburn Police Department (APD) to provide information and resources to help combat known or suspected use of illegal drugs by family members, friends, and others. APD staff believes offering these kits is a proactive community policing approach that allows for open supportive communication with community members. The kits would be sold at cost by APD with approval for cost adjustments to ensure the department can replenish kits to maintain the viability of the program without additional impact upon the city budget.

Background

The Auburn Police Department intends for this program to be a new public outreach program for our community. We believe that this will empower our citizens to identify and fight drug abuse within their own families. The home drug testing kits are panel screenings which test for BZO's (Benzodiazepines) COC (Cocaine), THC (Marijuana, Hashish), MET (Methamphetamines), OPI (Opiates, Morphine, Heroin), AMP (Amphetamines.) By identifying drug abuse early we hope to reduce the myriad consequences associated with drug culture including increased crime.

While the Placer County Sheriff's Department received a grant for drug testing kits for use in the county, a significant part of the population is unable to benefit from this program including students at Placer High school. Our program will allow us to provide this resource to these underserved members of our city.

By maintaining a constant supply of kits available Monday thru Friday during regular business hours we afford the public a resource to help accurately identify and confirm suspected substance abuse. Parents, youth, and others benefit from the local accessibility of the kits when the need arises to confirm someone is abusing illegal substances. It also serves as an aid to deter and prevent future use by those individuals considered at risk. When unadulterated urine samples are introduced into an individual drug screening kit the vendor reports a 98% accuracy rate for those specified illegal substances being tested. The kit results are available within five minutes and examples of time frames substances can be accurately detected include the use of illegal amphetamines during the past 2-4 days and marijuana use during the previous 30 days. The vendor website contains a multitude of resources that help to educate the public on drug detection periods, various testing products, personal health materials and much more.

A search of Auburn Police arrest data for 2009 revealed a total of 27 felony and 76 misdemeanor arrests for the calendar year. Examples of some of the felony arrest violations include; the sales of illegal drugs, possession of illegal drugs, and transportation of illegal substances. Misdemeanor violations included; possession of hypodermic syringes, possession of drug paraphernalia, under the influence of controlled/illegal substances and others. In 2010, Auburn Police Officers arrested 28 individuals for felony drug crimes and 51 for misdemeanor drug offenses. These figures unfortunately provide a limited view of the legal and illegal substance abuse problem that exists in our community as individuals arrested for driving while under the influence of legal or illegal substances are not included in these figures. A complete picture of the problem would require in depth research into every arrest or for that matter may of the contacts made by staff. The use of illegal substances is a common thread in law enforcement action involving reported domestic violence, child abuse, neglect and endangerment, theft, and many other incidents that may or may not result in an arrest.

Analysis

Through a generous donation from the Auburn Elks Lodge community outreach program for Drug Awareness and Prevention, the department purchased 60 drug testing kits as the initial start up for this program. Kits will be made available for purchase at the Auburn Police Department at cost plus required state sales tax. The total cost of each kit purchased for this pilot program, including shipping and handling from the vendor, was \$4.69 per kit. This amount with required sales tax will be charged to citizens and future cost variations will be driven by the price the department pays for replacement kits and current state sales tax.

Auburn Police staff contacted the Placer County Sheriff's Department as they currently make drug testing kits available to the public. Placer County staff estimates fifteen citizens have taken advantage of this program this year alone. No less than five citizens have come to the Auburn Police this year alone asking for kits that we were unable to provide.

Finally, these drug testing kits are for use by the public and will not be used by the Auburn Police Department to arrest individuals suspected of being under the influence of illegal substances. Officers use other presumptive test kits during the course of their investigations and these kits are intended to provide preliminary results to members of the public. Citizens will be directed to their personal physicians for additional testing when appropriate. Legal aspects of this program have been discussed with City Attorney Michael Colantuono and the city is in compliance with state resale regulations as the city currently maintains the required re-sale permit. The cost for the current supply of kits was less than \$5.00 per kit including shipping and handling from the vendor.

Alternatives Available to Council; Implications of Alternatives

The Council's primary alternatives are:

- 1) Approve the sales of test kits as outlined in the report.
- 2) Approve the sales as a pilot program with a review period after one year; or
- 3) Decline to approve the program and require the public seek other means to obtain test kits.

Fiscal Impact

None

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RESOLUTION NO. 11-
RESOLUTION AUTHORIZING THE SALE OF DRUG SCREENING KITS THROUGH
A PILOT PROGRAM OFFERED BY THE AUBURN POLICE DEPARTMENT IN
RESPONSE TO A NEED BY THE COMMUNITY FOR RESOURCES TO HELP
IDENTIFY AND COMBAT THE USE OF ILLEGAL SUBSTANCES.

THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn does hereby authorize the
City Manager or his designee to implement a pilot program involving the sales
of drug screening test kits to the public. This program is in response to
requests from community members to have drug screening kits available to
assist individuals in the proper identification of illegal substances being used by
family members, friends, or others.

The supply of drug screening kits is intended to be replenished by the
receipt of payment from the public for actual cost of each screening kit
purchased by the Police Department plus California State sales tax. The Police
Department shall have the authority to adjust the resale costs of screening kits
given price fluctuations in purchase costs from suppliers and/or changes in
state sales tax rates. Kits will only be sold for cost plus tax as this is not
intended to be a revenue generating program.

DATED: June 13, 2011

William Kirby, Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

1 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
2 that the foregoing resolution was duly passed at a regular meeting of the City
3 Council of the City of Auburn held on the 13th day of June 2011 by the
following vote on roll call:

4 Ayes:

5 Noes:

6 Absent:

7 _____
Joseph G. R. Labrie, City Clerk

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